



Paper No. 7

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In re Application of
Gaurav Aggarwal, et al
Application No. 09/782,937
Filed: February 13, 2001
Attorney Docket No. JP920000410US1

OFFICE OF PETITIONS
DECISION GRANTING PETITION

This is a decision on the communication styled "Request for Corrected Official Filing Receipt" filed July 19, 2001, which is being treated as a petition under 37 CFR 1.10(c), requesting that the above-identified application be accorded a filing date of February 13, 2001, instead of the presently accorded date of February 14, 2001.

Petitioners indicate that the application was filed on February 13, 2001, using "Express Mail" service pursuant to the requirements of 37 CFR 1.10. Petitioners provide, *inter alia*, a copy of the Express Mail receipt No. E1493856054US. The same Express Mail receipt number was referred to in the original transmittal letter found in the file.

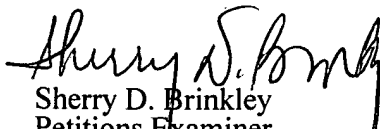
The Office considers the date the paper or fee is shown to have been deposited as "Express Mail" to be the "Date In" on the Express Mail label, MPEP 513. That is the date that verifies that the package was actually mailed. It is noted that the "date in" on the copy of the Express Mail label is not legible. However, a review of the USPTO's USPS Express Mail Information Database (copy attached) confirms that the Express Mail package in question was accepted by the USPS on February 13, 2001.

In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on February 13, 2001.

The petition is granted.

The application is being returned to Initial Patent Examination Division (OICE) for correction of the filing date of **February 13, 2001** and issuance of a corrected Official Filing Receipt.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-9220. Telephone inquiries related to OICE processing should be directed to their hotline at (703) 308-1202.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects

Attachment: USPTO's USPS Express Mail Information Database